

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH - CENTRAL DIVISION

CHARLES SCHWAB & CO, INC., a
California corporation.

Plaintiff in Interpleader,

vs.

WILHELM BORNSCHEIN; CHRISTIANE
BORNSCHEIN; ERSTE BANK der
OSTERREICHISCHEN SPARKASSEN AG,
an Austrian corporation; GERALD P.
BIEMER; ANA MARIE BIEMER;
GLOBAL SUPPORT SERVICES, INC.,
a/k/a GSSUSA, INC., a Nevada corporation;
FRIEDRICH F. HERRLING; URSULA M.
GRETE-HERRLING; HORST HENSCHER;
MARKUS HERRLING; ALEXANDER
HERRLING; AND EUROGAS, INC.M, a
Utah corporation.

Defendants in Interpleader.

ORDER TO CONSOLIDATE

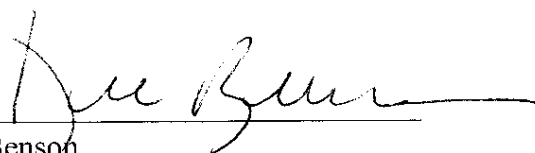
Case No. 2:98 CV 0559B
AND
Case No. 2:98 CV 0422J

On August 10, 1998, an interpleader complaint was filed asserting that the interpleader plaintiff was in possession of various accounts in which were deposited Eurogas shares or alleged proceeds of Eurogas shares, and which are subject to potentially competing claims by defendants and co-defendants (Case No. 2:98 CV 0559B). Prior to the filing of Case No. 2:98 CV 0559 B, co-defendants, Mr. and Mrs. Bornschein and Erste Bank, filed an action asserting claims in and to the subject accounts, but only against defendants, Gerald P. Biemer, GSSUSA, Inc. and Eurogas, Inc., as a nominal defendant on July 22, 1998 (Case No. 2:98 CV 0422J). Defendants now make a motion to consolidate Case No. 2:98 CV 0559B with Case No. 2:98 CV 0422J.

For the reasons set forth in the motions to consolidate and pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, and good cause appearing, the Court HEREBY GRANTS defendants Gerald P. Biemer's, Ana Marie Biemer's Global Support Services', Inc., a/k/a GSSUSA, Inc., Friedrich F. Herrling's, Ursula M. Grete-Herrling's, Horst Henschel's, Markus Herrling's and Alexander Herrling's motion to consolidate and HEREBY ORDERS:

1. Case No. 2:98 CV 0599B be consolidated with and into Case No. 2:98 CV 0422J, for the purposes of discovery, pretrial proceedings, and other proceedings as determined by the Court; and
2. All pleadings, papers, and other submissions in Case No. 2:98 CV 0599B be consolidated with those in Case No. 2:98 CV 0422J; and
3. As a result of this consolidation the court HEREBY VACATES the initial pretrial conference scheduled for Friday December 18, 1998, at 10:00 a.m. before Magistrate Judge David O. Nuffer.

DATED this 21ST day of November, 1998.


Dee Benson
United States District Judge

jag

United States District Court
for the
District of Utah
November 25, 1998

* * MAILING CERTIFICATE OF CLERK * *

Re: 2:98-cv-00559

True and correct copies of the attached were mailed by the clerk to the following:

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